

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

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UNITED STATES OF AMERICA,

Plaintiff,

Crim. No. 04-2303 WJ

v.

JAMES R. BUNN,

Defendant.

**MEMORANDUM OPINION AND ORDER**

THIS MATTER comes before the Court *sua sponte*. Defendant, who is proceeding *pro se*, is appealing his conviction of a petty offense, Possession of a Weapon on Veterans' Affairs Property, 18 C.F.R. §1.218(b); see, Doc. 2 (Judgment). Following a trial before a United States Magistrate Judge, the Court found Defendant guilty and imposed a fine of \$50.00.

The parties have filed briefs on the issues being appealed. However, the Court noticed that the Government has not filed a response to Defendant's Motion to Impound and Preserve Seized Property (Doc. 7), and declines to construe this as consent to the motion, particularly since the motion was filed during a substitution of counsel for the Government.

Plaintiff is therefore directed to file a Response to Defendant's Motion to Impound and Preserve Seized Property (Doc. 7) on or before Friday, August 12, 2005. Defendant may file a Reply on or before Friday, August 26, 2005.

**IT IS SO ORDERED.**



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UNITED STATES DISTRICT JUDGE